

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

Hearing Date: January 26, 2011
Hearing Time: 10:30 a.m.
Place: Albany, New York

In re:

HIGHGATE LTC MANAGEMENT, LLC, *et al.*,
Debtors.

Chapter 11
Case No. 07-11068 (REL)
(Jointly Administered)

EF CONSULTING LLC AND
OASIS HC LLC,

Plaintiffs,

Adversary Pro. No. 10-90175

v.

GENERAL ELECTRIC CAPITAL
CORPORATION,

Defendant.

CLERK OF THE
BANKRUPTCY COURT
N.D. OF NY
ALBANY
2011 JAN - 7 AM 9:13

NOTICE OF DEFENDANT'S MOTION TO DISMISS COMPLAINT

PLEASE TAKE NOTICE THAT, upon the annexed Declaration of Richard Arrowsmith In Support of Defendant General Electric Capital Corporation's ("GECC") Motion Pursuant To Bankruptcy Rule 7012(b) To Dismiss Adversary Complaint, dated January 4, 2011, and all the exhibits annexed thereto, the accompanying Memorandum of Law in Support of Defendant GECC's Motion to Dismiss Adversary Complaint pursuant to Bankruptcy Rule 7012(b)(6), dated January 6, 2011, and all other papers and proceedings heretofore herein, GECC, by its undersigned attorneys, will move this Court on Wednesday, January 26, 2011 (the "Hearing Date"), before the Honorable Robert E. Littlefield, United States Bankruptcy Court, Northern District of New York (Albany), James T. Foley Courthouse, 445 Broadway, Suite 330, Albany, New York 12207, for an Order, pursuant to Rules 12(b)(6) and of the Federal Rules of

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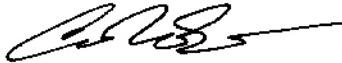
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Civil Procedure and Bankruptcy Rule 7012(b)(6), granting GECC's Motion to Dismiss (the "Motion") and dismissing the Complaint of Plaintiffs EF Consulting LLC and Oasis HC LLC in its entirety and with prejudice, and for such other and further relief as this Court may deem just and proper.

Responses to the Motion shall be filed and served, so as to be received, by no later than January 21, 2011 at 4:00 p.m.

Dated: Garden City, New York
January 6, 2011

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